

Message Text

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ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 CIAE-00 COME-00 DODE-00 DOTE-00

FMC-01 INR-07 NSAE-00 SAL-01 CG-00 DLOS-06 OES-06 L-03

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PASS COMMERCE

E.O. 11652: N/A

TAGS: EAIR, ELTN, EWWT, CA

SUBJ: TREATMENT OF TRANSPORTATION IN SPEECH FROM THE
THRONE

1. ONLY DISCUSSION OF TRANSPORT IN OCTOBER 12
STATEMENT OF GOC INTENTIONS DURING NEW PARLIAMENTARY
SESSION IS FOLLOWING BRIEF REFERENCE:

"...WHERE COMPETITION IS INADEQUATE THE GOVERNMENT
MUST INTERVENE TO PROTECT THE PUBLIC INTEREST. FOR
THIS REASON, CHANGES WILL BE INTRODUCED TO THE
NATIONAL TRANSPORTATION ACT TO PROTECT AGAINST UNFAIR
FREIGHT RATES."

2. COMMENT: PRESUMABLY LEGISLATION TO EFFECT THIS
ALONG THE LINES SUGGESTED IN APPENDIX TO DOCUMENT
TRANSMITTED WITH A-522, OCTOBER 6. WASHINGTON
AGENCIES--ESPECIALLY COMMERCE-- MAY WISH TO FOCUS
ON LONG HAUL/SHORT HAUL REFORM INTENTIONS AS
HIGHLIGHTED IN AIRGRAM. WE WILL FORWARD GOVERNMENT
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BILL WHEN INTRODUCED.

3. FACT THAT OTHER ASPECTS DISCUSSED IN ABOVE DOCUMENT (E.G., AMENDMENTS TO POLICY SECTION OF NATIONAL TRANSPORTATION ACT AND CLARIFICATION OF RELATIONSHIP OF MINISTER TO CANADIAN TRANSPORT COMMISSION) NOT MENTIONED IN SPEECH DOES NOT PRECLUDE QUICK INTRODUCTION OF LEGISLATION TO DEAL WITH THESE ISSUES AS WELL AS FREIGHT RATES. THUS OUR RECOMMENDATION RE CANADIAN CONTROL WITH RESPECT TO TRANSPORT CARRIERS OF ALL MODES (SEE OTTAWA 3890) STILL STANDS.

4. CANADIAN TRUCKING ASSOCIATION (CTA) EXECUTIVE ADVISED TCO OCTOBER 12 HIS GROUP WILL BE MEETING WITH MOT THIS WEEK AND INTENDS TO WEIGH IN STRONG AGAINST LEGISLATIVE ENACTMENT OF "CONTROL" LANGUAGE. AT OUR REQUEST, HE WILL ATTEMPT OBTAIN FROM PROVINCIAL ASSOCIATIONS LISTS OF U.S. TRUCKING COMPANIES' SUBSIDIARIES IN CANADA WHO SPECIFICALLY MIGHT BE AFFECTED BY SUCH LEGISLATION.

5. IN ADDITION TO OPPOSING DRAFT LANGUAGE, CTA WILL ALSO SEEK A LEGISLATIVE REQUIREMENT AND APPROPRIATE MECHANISM TO ENFORCE IT WHEREBY WHEN A CANADIAN TRUCKING FIRM (CANADIAN OWNED OR A U.S. SUBSIDIARY) COMES UP FOR SALE, CANADIAN INTERESTS WOULD HAVE A RIGHT TO ATTEMPT PURCHASE WITHOUT COMPETITION FROM FOREIGN INTERESTS. DETAILS OF THIS APPROACH ARE YET TO BE WORKED OUT, BUT IN PRINCIPLE SUCH AN ARRANGEMENT MIGHT RESULT IN A SITUATION IN WHICH A U.S. TRUCKING INVESTOR IS PREVENTED FROM GETTING FULL MARKET VALUE FOR HIS SUBSIDIARY SHOULD HE WISH TO DISPOSE OF IT.
ENDERS

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